

Chapter 440, Zoning

Table of Contents

Article I. Introduction and Definitions	1
§ 440-1. Purpose.....	1
§ 440-2. Scope	1
§ 440-3. Interpretation	1
§ 440-4. Short Title.....	1
§ 440-5. Severability.....	1
§ 440-6. Authority	1
§ 440-7. General rules for reading and applying the chapter language.....	2
§ 440-8. Construction of provisions	2
§ 440-9. Word usage; definitions.....	2
§ 440-10 to 440-11 Reserved	
Article II. Zoning Classifications.....	29
§ 440-12. Classes of zoning.....	29
§ 440-13. Zoning map	29
§ 440-14. Temporary buildings; movement of buildings into City	29
§ 440-15 to 440-20 Reserved	
Article III. Single-Family Residential Zone (R-1)	31
§ 440-21. Purpose; uses permitted	31
§ 440-22. Development standards	31
§ 440-23. Additional regulations.....	32
§ 440-24 to 440-30 Reserved	
Article IV. Duplex Residential Zone (R-2).....	33
§ 440-31. Purpose; uses permitted	33
§ 440-32. Development standards	33
§ 440-33. Additional regulations.....	33
§ 440-34 to 440-40 Reserved	
Article V. Townhouse Residential Zone (R-3)	35
§ 440-41. Purpose; uses permitted	35
§ 440-42. Development standards	35
§ 440-43. Parking standards	36
§ 440-44. Additional regulations.....	36
§ 440-45 to 440-50 Reserved	
Article VI. Multi-Family Residential Zone (R-4)	39
§ 440-51. Purpose; uses permitted	39
§ 440-52. Development standards	40
§ 440-53. Additional regulations.....	41
§ 440-54 to 440-60 Reserved	

Article VII. Neighborhood Commercial Zone (C-1)	
§ 440-61. Purpose; uses permitted	43
§ 440-62. Development standards	43
§ 440-63. Additional regulations	44
§ 440-64 to 440-70 Reserved	
Article VIII. Central Commercial Zone (C-2)	47
§ 440-71. Purpose; use regulations	47
§ 440-72. Applicability	48
§ 440-73. Lot and building development standards.....	49
§ 440-74. Streetscape standards	55
§ 440-75. Additional regulations.....	56
§ 440-76 to 440-85 Reserved	
Article IX. Service Commercial Zone (C-3).....	59
§ 440-86. Use regulations	59
§ 440-87. Development standards	60
§ 440-88. Additional regulations.....	60
§ 440-89 to 440-95 Reserved	
Article X. Manufacturing Zone (M)	63
§ 440-96. Use regulations	63
§ 440-97. Uses prohibited	64
§ 440-98. Area regulations	64
§ 440-99. Height regulations	65
§ 440-100. Development standards	65
§ 440-101. Additional regulations.....	65
§ 440-102 to 440-110 Reserved	
Article XI. Industrial Park Zone (IMP).....	67
§ 440-111. Use regulations	67
§ 440-112. Uses prohibited	67
§ 440-113. Area regulations	68
§ 440-114. Height regulations	68
§ 440-115. Development standards	69
§ 440-116. Additional regulations.....	69
§ 440-117 to 440-125 Reserved	
Article XII. Traditional Neighborhood Development Zone (TND)	71
§ 440-126. Purpose; administrative procedures.....	71
§ 440-127. Permitted uses	71
§ 440-128. Development standards	72
§ 440-129. Additional regulations.....	81
§ 440-130 to 440-135 Reserved	

Article XIII. General Regulations	83
§ 440-136. Use regulations	83
§ 440-137. Prohibited uses (nuisances)	83
§ 440-138. Nonconforming uses	84
§ 440-139. Home occupation	84
§ 440-140. Accessory uses, buildings, and structures	86
§ 440-141. Dimensional and density standards	88
§ 440-142. Height limit exemptions	89
§ 440-143. Lot frontage	89
§ 440-144. Projections into required yards	89
§ 440-145. Front yard adjustments	90
§ 440-146. Minimum roof pitch.....	90
§ 440-147. Fences and walls	90
§ 440-148. Visibility at intersections within “sight triangle”	91
§ 440-149. Sidewalks and curbs	91
§ 440-150. Wetlands	91
§ 440-151. Bufferyards.....	91
§ 440-152. Screening	93
§ 440-153. Trees	94
§ 440-154. Open space and recreation	95
§ 440-155 to 440-170 Reserved	
Article XIV. Signs.....	101
§ 440-171. Purpose.....	101
§ 440-172. Hierarchy of regulations	101
§ 440-173. Typical on-premise sign types.....	102
§ 440-174. Sign area computational methodology/ground signs.....	103
§ 440-175. Comparison: roof and wall sign distinctions	105
§ 440-176. Exemptions	106
§ 440-177. Sign face area	106
§ 440-178. Height of signs	107
§ 440-179. Standards in Single-Family (R-1), Duplex (R-2), Townhouse (R-3), and Multi-Family (R-4) residential zones	108
§ 440-180. Standards in Neighborhood Commercial (C-1) and Central Commercial (C-2) Zones	109
§ 440-181. Standards in Service Commercial (C-3), Manufacturing (M), and Industrial Park Manufacturing (IMP) Zones	109
§ 440-182. Additional standards in all zones.....	110
§ 440-183. Electronic message centers	112
§ 440-184. Sign illumination standards	113
§ 440-185. Nonconforming signs	113
§ 440-186. Electrical regulations applying to all permanent and temporary on-premise signs	114
§ 440-187. Construction and structural requirements	115
§ 440-188. Maintenance requirements.....	116
§ 440-189. Permit.....	117

§ 440-190. Permitted and prohibited signs in all zones	117
§ 440-191. Jurisdiction	122
§ 440-192 to 440-210 Reserved	
Article XV. Parking and Access	123
§ 440-211. Applicability	123
§ 440-212. General requirements	123
§ 440-213. Required number of spaces	124
§ 440-214. Excess parking	126
§ 440-215. Joint use, shared facilities, and satellite parking	126
§ 440-216. Design standards	129
§ 440-217. Surfacing and curbing	132
§ 440-218. Marking and signage	133
§ 440-219. Accessible parking	133
§ 440-220. Parking area landscaping	133
§ 440-221. Maintenance	134
§ 440-222. Bicycle accessibility, mobility, and parking	135
§ 440-223. Loading and unloading space	135
§ 440-224. Parking standards for traditional neighborhood developments	135
§ 440-225 to 440-240 Reserved	
Article XVI. Conditional Use Permits	139
§ 440-241. Purpose	139
§ 440-242. Application and approval procedures	139
§ 440-243. Evaluation criteria	139
§ 440-244. Conditions on approval	140
§ 440-245. Prohibited uses	140
§ 440-246 to 440-255 Reserved	
Article XVII. Board of Adjustment	141
§ 440-256. Creation, membership, term, hearings	141
§ 440-257. Procedures	142
§ 440-258. Powers of Board	142
§ 440-259. Appeals	143
§ 440-260. Interpretation	143
§ 440-261. Variances	143
§ 440-262. Duration of variance approval	144
§ 440-263. Amendment of variance	144
§ 440-264. Filing of appeals	144
§ 440-265 to 440-280 Reserved	
Article XVIII. Administration	145
§ 440-281. Planning Commission	145
§ 440-282. Other duties of Planning Commission	146
§ 440-283. Amendments	146
§ 440-284. Action of Planning Commission on amendments	146

§ 440-285. Public hearings.....	147
§ 440-286. Denial of petitions; reconsideration	147
§ 440-287. Uses requiring site plans	147
§ 440-288. Site plan processing procedures	148
§ 440-289. Category A site plan procedures	149
§ 440-290. Contents of concept plan submittals	152
§ 440-291. Content of preliminary site plan.....	154
§ 440-292. Contents of final site plan	157
§ 440-293. Category B/administrative plan review procedures	158
§ 440-294. Contents of plans for Category B/administrative review.....	159
§ 440-295. Impact studies	160
§ 440-296. Amendment of approved site plan.....	160
§ 440-297. Expiration of site plan approvals	161
§ 440-298. Zoning compliance certificates required	161
§ 440-299. Application for Zoning compliance certificate	162
§ 440-300. Drawings to accompany applications for zoning compliance certificates ..	165
§ 440-301. Procedure for zoning compliance certificate.....	165
§ 440-302. Building permits.....	166
§ 440-303. Certificates of occupancy and compliance	166
§ 440-304. Filing fees.....	166
§ 440-305 to 440-320 Reserved	
Article XIX. Remedies and Penalties	167
§ 440-321. Remedies	167
§ 440-322. Enforcement, violations, and penalties.....	167
§ 440-323 to 440-330 Reserved	

Tables and Figures

Figure 8.1. Building Height Standard.....	50
Figure 8.2. Illustration of Range of Required Window Area.....	52
Figure 8.3. Illustrations of Façade Articulation Example.....	53
Table 13.1. Dimensional Standards for Accessory Buildings and Structures for Residential Uses and C-1, C-2, C-3, and TND Zones	87
Table 13.2. Dimensional Standards for Accessory Buildings and Structures for Manufacturing and Industrial Park Manufacturing Zones	88
Table 13.3. Dimensional and Density Standards	88
Table 13.4. Permitted Projections into Required Yards.....	90
§ 440-173. Typical on-premise sign types.....	102
§ 440-174. Sign area computational methodology/ground signs.....	103
§ 440-175. Comparison: roof and wall sign distinctions	105
Figure 14.1. Sign Height for Roadways with Higher Grade	108
Table 15.1. Required Off-Street Parking Spaces	124
Table 15.2. Percentage to Calculate Peak Parking	127
Table 15.3. Parking Angle	132
Figure 15.4. Sketch of Mixed Use Buildings and Parking.....	137